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Housing Committee  
Connecticut General Assembly  
300 Capitol Avenue, Ste. 1  
Hartford, CT 06106

**Re: Proposed Amendments to CGS 8-30g**

Dear Honorable Assemblypersons:

At the general invitation of our State Senator Gayle Schlossberg (D-Milford), I am writing to offer my observations based upon my education and 40 years of experience in Land use Planning. My firm submitted some of the earliest applications under the 8-30g statute and has seen its implementation across many communities through the years.

I would like to address some of the items Senator Schlossberg has raised. There is one particular item I agree with in part. Many communities have various housing choices which have some restrictions. These could allow them to be counted as part of a community's inventory, but are not under the current language. For instance, there is a 50+ unit development called Forest Glen in Milford which is deed restricted to remain affordable in its entirety. A grant was received for the land, and has a 99 year ground lease with detached homes built on the land. Because of the format of the deed restriction these homes currently do not count under 8-30g. Their costs are restricted, the intent of the developer and benefactor was clearly that they remain affordable for 99 years. Such projects should be permitted to count towards a community's 10% requirement. I DO NOT believe however, they should ex post facto count toward a moratorium. Moratoriums should only be granted for new housing constructed during a given period.

Moratoria, in my observation have not been utilized to study regulations, land use and seek next level Affordable Housing opportunities. They have only been used to kick the can down the road to the next administration. A clear protocol of action should be linked to any moratorium granted.

The notion that the minimum size for an 8-30g project should be one acre and contain a minimum amount of deed restricted units is not well conceived. Some of the best 8-30g developments are small in-fill projects dotted throughout a community. Their impacts are generally insignificant, and their presence hardly noticeable, even one block away. Requiring a minimum amount of affordable units in a given project will only serve to force up the overall unit count on smaller projects and make them into larger projects. Small projects scattered throughout a community provides a variety of housing choices and opportunities. This I believe was part of the intent of the crafters of the legislation. Large scale 8-30g developments while needed, do not offer the same homogeneous benefits of smaller scattered projects which blend better into neighborhoods.

Finally, the proposal to "empower community members" by ensuring that their testimony is given the same weight in an appeals court as that of an expert, is specious. It is just pandering to constituents. At present, the court can grant strong credence to local testimony when it is conveyed with factual information, not hearsay or anecdotal comments. If we are to go down this slippery slope, than perhaps the courts will embrace non-professionals practicing law? Judges warn against this practice as it is counterproductive and can lead to unjust, but legal outcomes. If my Professional licenses, education and 40 years' experience is neutered, then the ship of planning will be steered by amateurs and shifting public opinion. The outcome will perhaps advance the NIMBY mentality, but it will not advance the dire need for affordable housing in the State of Connecticut.

Housing has always been integral with growing economies, from mill towns, to the postwar housing boom down to this day. Most every effort I have observed to "tweak" the 8-30g Statute has been an attempt not to improve housing in Connecticut, but to move it to another locale or delay its implementation. Most Town Affordable Housing Regulations I have studied, make it economically less feasible to construct such communities, but it looks good on the books.

Living in an atmosphere where some advocate building walls around our communities, we should ensure the intent of the framers of this legislation is advanced, not watered down.

Sincerely,



Jeffrey N. Gordon, P.L.A.  
President

WP/jng/lettersmemos/March1HousingTestimony